

Please replace claims 1 and 3, with the following:

--1. (Amended) A waterproofed and vapor-permeable sole for shoes, comprising:

a 2 ✓  
a membrane made of a material which is permeable to vapor, which is impermeable to water,  
and which is sealed in peripheral regions thereof with respect to said tread;

through holes extending entirely through a thickness of said tread;

inserts made of plastic material assembled in said through holes, said inserts in turn  
having through holes therethrough for allowing vapor to pass through said through holes  
through the thickness of said tread.--

--3. (Amended) The sole according to claim 1, wherein said membrane is

a 3  
a peripherally spaced from the edge of said tread and further comprising a peripheral upper  
trim, which is made of rubber, and which is assembled to said tread so as to cover and seal  
peripheral regions of said membrane and so as to leave a wide central opening through which  
said membrane is visible.--

#### **REMARKS**

Favorable reconsideration of this application, in light of the present amendment and  
accompanying remarks, is respectfully requested.

Claims 1-8 remain pending in this application, claims 1 and 3 having been amended,  
by the present amendment.

In the outstanding Office Action, the disclosure was objected to for certain  
informalities, claims 1-2 were rejected under 35 U.S.C. § 112, second paragraph, as being  
indefinite, and claims 1-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over  
*Polegato* in view of *Margolin* and *Sandmeyer*.